STATUTORY INSTRUMENTS

1972 No. 1303

MERCHANDISE MARKS

The Motor Vehicles (Designation of Approval Marks) (No. 2) Regulations 1972

Made - - - -	17*th August* 1972
Laid before Parliament	29*th August* 1972
Coming into Operation	19*th September* 1972

The Secretary of State for the Environment (hereinafter referred to as "the Secretary of State"), in exercise of his powers under section 63(1) of the Road Traffic Act 1972(**a**) and of all other enabling powers, and after consultation with representative organisations in accordance with the provisions of section 199(2) of that Act, hereby makes the following Regulations:—

1.—(1) These Regulations shall come into operation on 19th September 1972 and may be cited as the Motor Vehicles (Designation of Approval Marks) (No. 2) Regulations 1972.

(2) In these Regulations the expression "the International Agreement of 1958" means the Agreement concerning the adoption of uniform conditions of approval and reciprocal recognition of approval for motor vehicle equipment and parts concluded at Geneva on 20th March 1958(**b**), as amended (**c**), to which the United Kingdom is a party (**d**).

(3) The Interpretation Act 1889(**e**) shall apply for the interpretation of these Regulations as it applies for the interpretation of an Act of Parliament.

2.—(1) The Secretary of State hereby designates as an approval mark a marking which is in the same form as and of a size not less than the marking shown in the diagram in Part I of Schedule 1 to these Regulations subject, however, to the provisions of Part II of that Schedule, the said marking being one for which the International Agreement of 1958 by virtue of the Regulation specified in Part III of that Schedule, annexed to that Agreement, and dated 14th August 1970, and as amended by Corrigendum 1 dated 22nd April 1971, makes such provision as is mentioned in section 63(1)(*a*)(ii) and (*b*) of the Road Traffic Act 1972 in relation to a motor vehicle fitted with certain parts consisting of the seats and of their anchorages on the vehicle.

(**a**) 1972 c. 20.
(**b**) Cmnd. 2535.
(**c**) Cmnd. 3562.
(**d**) By instrument of accession dated 14th January 1963 deposited with the Secretary-General of the United Nations on 15th January 1963.
(**e**) 1889 c. 63.

(2) The Secretary of State hereby designates as an approval mark a marking which is in the same form as and of a size not less than the marking shown in the diagram in Part I of Schedule 2 to these Regulations subject, however, to the provisions of Part II of that Schedule, the said marking being one for which the International Agreement of 1958 by virtue of the Regulation specified in Part III of that Schedule, annexed to that Agreement and dated 14th September 1970 makes such provision as is mentioned in section 63(1)(*a*)(ii) and (*b*) of the Road Traffic Act 1972 in relation to a motor vehicle fitted with a certain part consisting of a device for the protection of the vehicle against unauthorised use.

(3) The Secretary of State hereby designates as an approval mark a marking which is in the same form as and of a size not less than the marking shown in the diagram in Part I of Schedule 3 to these Regulations, subject, however, to the provisions of Part II of that Schedule, the said marking being one for which the International Agreement of 1958 by virtue of the Regulation specified in Part III of that Schedule, annexed to that Agreement and dated 11th March 1970 makes such provision as is mentioned in section 63(1)(*a*)(ii) and (*b*) of the Road Traffic Act 1972 in relation to a motor vehicle equipped with a positive-ignition engine with regard to the emission of gaseous pollutants by that engine.

Signed by authority of the Secretary of State.

17th August 1972.

John Peyton,
Minister for Transport Industries,
Department of the Environment.

SCHEDULE 1

PART I

Diagram showing marking



17R-2439

PART II

1. The number shown inside the circle in the marking in the above diagram will be varied, where appropriate, to be the number assigned to each Contracting State party to the International Agreement of 1958 and applying the Regulation specified in Part III of this Schedule.

2. The number which is shown outside the circle in the said marking will be varied, where appropriate, to be the number allotted by a competent authority to distinguish the manufacturer of the type of motor vehicle concerned, being a motor vehicle fitted with certain parts consisting of the seats and their anchorages on the vehicle.

PART III

Regulation No. 17

UNIFORM PROVISIONS CONCERNING THE APPROVAL OF VEHICLES WITH REGARD TO THE STRENGTH OF THE SEATS AND OF THEIR ANCHORAGES.

SCHEDULE 2

PART I

Diagram showing marking



18R-2439

PART II

1. The number shown inside the circle in the marking in the above diagram will be varied, where appropriate, to be the number assigned to each Contracting State party to the International Agreement of 1958 and applying the Regulation specified in Part III of this Schedule.

2. The number which is shown outside the circle in the said marking will be varied, where appropriate, to be the number allotted by a competent authority to distinguish the manufacturer of the type of motor vehicle concerned, being a motor vehicle fitted with a device for its protection against unauthorised use.

PART III

Regulation No. 18

UNIFORM PROVISIONS CONCERNING THE APPROVAL OF POWER-DRIVEN VEHICLES WITH REGARD TO THEIR PROTECTION AGAINST UNAUTHORISED USE.

SCHEDULE 3

PART I

Diagram showing marking



15R-2439

PART II

1. The number shown inside the circle in the marking in the above diagram will be varied, where appropriate, to be the number assigned to each Contracting State party to the International Agreement of 1958 and applying the Regulation specified in Part III of this Schedule.

2. The number which is shown outside the circle in the said marking will be varied, where appropriate, to be the number allotted by a competent authority to distinguish the manufacturer of the type of motor vehicle concerned, being a motor vehicle equipped with a positive-ignition engine with regard to the emission of gaseous pollutants by the engine.

PART III

Regulation No. 15

UNIFORM PROVISIONS CONCERNING THE APPROVAL OF VEHICLES EQUIPPED WITH A POSITIVE-IGNITION ENGINE WITH REGARD TO THE EMISSION OF GASEOUS POLLUTANTS BY THE ENGINE.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

Section 63(1) of the Road Traffic Act 1972 enacts, inter alia, that where any international agreement to which the United Kingdom is a party provides—

(*a*) for markings to be applied to a motor vehicle to indicate that the vehicle is fitted with motor vehicle parts of any description and either—

(i) that the parts conform with a type approved by any country; or

(ii) that the vehicle is such that as so fitted it conforms with a type so approved; and

(*b*) for motor vehicles bearing these markings to be recognised as complying with the requirements imposed by the law of another country,

the Secretary of State for the Environment may by regulations designate the markings as approval marks.

Section 63 of the Road Traffic Act 1972 also provides that any markings so designated shall be deemed for the purpose of the Trade Descriptions Act 1968 (c.29) to be a trade description and that it shall be an offence under that Act to apply an approval mark without proper authority.

These Regulations designate for the purposes of the said section 63 as approval marks, markings complying with the provisions of Schedule 1, 2 or 3 of these Regulations and in respect of which the International Agreement of 1958 (referred to in these Regulations) and the Regulation specified in Part III of each of the Schedules to these Regulations and annexed to that Agreement makes such provision as is mentioned in (*a*)(ii) and (*b*) above as respects motor vehicles fitted with motor vehicle parts. The motor vehicle parts concerned (in the case of a marking complying with the provisions of Schedule 1 to these Regulations) consist of the seats and their anchorages, (in the case of a marking complying with Schedule 2 to these Regulations) consist of a device for the protection of a vehicle against unauthorised use and (in the case of a marking complying with Schedule 3 to these Regulations) consist of a positive-ignition engine with regard to the emission of gaseous pollutants by that engine.